

AUTO_ZONE_SITE_PLAN_(08-19) _____

MR. ARGENIO: Auto Zone, anybody here for that?

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. SHAW: This is the second time this project has been here before your planning board.

MR. ARGENIO: Greg, not to interrupt you but unless I'm mistaken this thing popped up a while back and kind of went south and now I think it's resurrected, am I mistaken?

MR. SCHEIBLE: You're thinking about a hamburger joint going in this area.

MR. ARGENIO: It could be.

MR. SHAW: I have no idea.

MRS. GALLAGHER: It was a Sonic, yes, it was.

MR. SHAW: Maybe the best place to start with this project, that's an existing conditions plan that shows what's on the site today, it's presently a developed site, it has two buildings on it, one is Play It Again site which is an existing retail building and the other is New Windsor's famous Pizza Hut which has been vacant now for a number of years. What my client is proposing to do is to demolish the Pizza Hut building and basically complete all new site improvements which when I say site improvements, talking about new paving, new curbing, storm drainage, water, sewer, site lighting, refuse, landscaping all the standard items that the planning board looks for when an existing site needs to be upgraded and is tired and I think the board would agree that this is a tired site and could use some upgrading. When we were before this board the last

time we were deficient with respect to the number of parking spaces that we were providing. We were obligated to provide 62 spaces and that's for both the new Auto Zone and the existing retail building and we're only providing 54 thus we needed and we did obtain a variance for eight parking spaces.

MR. ARGENIO: How many, Greg?

MR. SHAW: Eight parking spaces.

MR. ARGENIO: They gave you the variance?

MR. SHAW: They gave us the variance so now we're in compliance with your zoning ordinance and we're here before you with respect to site plan approval. We're proposing to construct two new entrances, presently there are two there now. I have met with Sidney Zaccaria of the DOT and the curb cuts that are reflected on the drawings before you reflect her corrections to the plan. We realize that we have to get a highway entrance permit and utilities permit from the New York State DOT and that will follow in the very near future but for the moment we're here before you asking for site plan approval and approval of the site improvements indicated on the drawings.

MR. ARGENIO: What are your aisle widths?

MR. SHAW: My aisle widths are 30 feet in front, 25 on the side, 25 on the side and 25 on the remaining side.

MR. ARGENIO: Mr. Shaw, why is the pond on somebody else's property?

MR. SHAW: Because it exists right now, again, this is a developed site and we cannot go and I believe we can't go in and make any changes to that pond because you're going to be affecting other people's property.

MR. ARGENIO: Is that pond effectively sized to accommodate the impervious surface based on the current storm water regulations?

MR. SHAW: Well--.

MR. ARGENIO: In 2009 April?

MR. SHAW: Well, keep in mind the increase in imperviousness from that physically exists there today, what we're proposing is 1/10 of an acre, that's what we're increasing the impervious.

MR. ARGENIO: That's not what I asked.

MR. SHAW: You're asking whether that pond is sized.

MR. ARGENIO: I'm saying storm water you're capturing now in your pond or in your perc pipe there, perc pipe here.

MR. SHAW: No.

MR. ARGENIO: The storm water you're catching in that pond is the volume appropriate for the square footage of pavement that's there now and in accordance with the regulations in 2009?

MR. SHAW: I have no idea. I don't, somewhere we're obligated to prove that the existing pond is adequate for the existing building and pavement.

MR. ARGENIO: I didn't say you were obligated.

MR. SHAW: That was constructed 25 years ago.

MR. VAN LEEUWEN: I forget who owned it, Herb somebody.

MR. SHAW: Sleepoy.

MR. SCHEIBLE: The major problem over the years with this piece of property has been the entrance egress situation, it's never, you come in and you go down this hill to get to either one of these two buildings over the years.

MR. SHAW: And--

MR. SCHEIBLE: Yes, I see you're going in for a highway, two highway entrances but I never ever liked that entrance situation.

MR. SHAW: I don't think there's anything to be done, very simply a difference in elevation from the entrance to the existing retail building which exists is going to continue to exist, I can't change the slab elevation of the building and I can't change the elevation of the highway so whatever drop exists will continue to exist.

MR. ARGENIO: Take the buildings down, fill the site in and raise it. I'm kidding, obviously.

MR. VAN LEEUWEN: That was my thought.

MR. ARGENIO: I do have a question though seriously all kidding aside traffic in that corridor quite frequently and this is directed towards Mark, Mark do you think it's wise or do you think we should consider, do you think Mr. Shaw should consider the entrance and exit on the left? It would seem to me and again driving that corridor quite frequently it seems to me that that entrance and exit should be a right turn only package, people can certainly come in but it should be a right turn only and the entrance and exit all the way to the right of the drawing on page 3 of 10 can be in and out because as you get closer to the intersection which we all know operates at a level of service and when I say a bad situation as you and I both know it backs up to that point and what happens is people try to come out and make a left.

MR. ARGENIO: What are your thoughts on that, Mark?

MR. EDSALL: No, I travel that way quite a bit as well and I understand what you're saying, I would say that the inability to make left turns is not at all times it's the same as the Mobil turn is even worse.

MR. ARGENIO: We're not talking about that.

MR. EDSALL: As you get to the peak traffic periods it begins to back up and affect all the curb cuts.

MR. SCHEIBLE: During rush hour traffic, right or left-hand turn it's a disaster there.

MR. EDSALL: The worst time now is actually during the end of school for the Cornwall Central School District, unfortunately the school district when they did their building felt they didn't have to comply with the normal SEQRA regulations and took no heed into an analysis into the traffic at the Five Corners that said that's the worst case now it's no longer the normal peak, it's the high school peak that actually backs up.

MR. ARGENIO: You don't like the idea?

MR. EDSALL: First of all, we have no jurisdiction I've got to tell you that right now, the jurisdiction is 100 percent with DOT. We can bring it to their attention that because they should consider no left turns there and allow left turns out of the more westerly curb cut, the only problem there is there you've got the unique situation of having a private road right next to it so--

MR. ARGENIO: Private road with what four residences on it, Mark? Come on.

MR. EDSALL: No, but it's, again, there's, this is a

difficult stretch but I think we can pass that on to DOT.

MR. ARGENIO: You're a pretty capable fella, do you have any thoughts on what I just suggested?

MR. SHAW: I liked what I presented. I understand your point.

(Planning Board Chairman laughs hysterically.)

MR. SHAW: I understand maybe as Mark suggested correspondence to the DOT would be appropriate. Your comments have validity to them, they really do.

MR. ARGENIO: Well--

MR. SCHEIBLE: Franchise Realty is that, that's McDonald's, correct?

MR. SHAW: Yes, correct, I believe that's McDonald's.

MR. SCHEIBLE: Henry, correct me, you and I were on this together, when this was all approved McDonald's and all that wasn't there an entrance, an emergency entrance coming off of 94 at that time, am I right or wrong?

MR. VAN LEEUWEN: I think you're wrong.

MR. ARGENIO: Well, no wait.

MR. VAN LEEUWEN: I don't remember that.

MR. SCHEIBLE: I just want to get the whole story.

MR. ARGENIO: Wait a second, if you look at drawing 3 of 10 there's some kind of driveway illustrated in the back of the property, is that what you're referring to?

MR. SCHEIBLE: You see that little where it says grass area there?

MR. ARGENIO: Yes, that's what I'm pointing your attention to.

MR. SCHEIBLE: I just want to bring that up because that was brought up back in those days.

MR. ARGENIO: Greg, where does that go?

MR. SHAW: I can't even find it.

MR. ARGENIO: Page 3 of 10 towards the top of the drawing near the peak of the triangle.

MR. SHAW: No, that goes to two homes that are in the rear of the property, I think if you take a look there's a reference on the drawing.

MR. EDSALL: Are you speaking of the drive to the right of the peak, the peak of the property you're talking about the drive shown to the right? That goes back to the town sewage pump station as well.

MR. SHAW: There's a couple homes back there.

MR. VAN LEEUWEN: This only shows Central Hudson.

MR. ARGENIO: That's the easement but Mark's saying further back.

MR. SCHEIBLE: If you look at it to the left.

MR. CORDISCO: That's what we're looking at as well.

MR. SHAW: Whether it was at one time a road it could be.

MR. SCHEIBLE: It was brought up, my memory's not that

bad, that was like an emergency entrance.

MR. SHAW: You very well could be right.

MR. ARGENIO: Where are you going ultimately with your comment?

MR. SCHEIBLE: What I'm saying is I don't think it was an emergency, I think that could have been used as a road in those days right as an entrance.

MR. ARGENIO: Years ago it might of.

MR. SCHEIBLE: I'm asking if that was ever brought up with this piece.

MR. SHAW: I never knew it and you very well may be right otherwise why would you have a leg coming out onto the highway to a piece in front.

MR. ARGENIO: Just because it was on the plan back in the '30s when you and Henry were here it really doesn't take us anywhere at this point in time. I don't think it's relevant. Also I'm reading this thing wrong, Franchise Realty Interstate owns that piece of property.

MR. SCHEIBLE: I'm not arguing, I just want to know who owns that piece of property.

MR. ARGENIO: Franchise Realty. Greg, I would like to see and this is only my opinion and again I said this 100 times I'm one member I'd like to see a little better landscaping, this is Five Corners, as you know there's two areas in town that we have tended to focus on over the years, one is Route 32 and Union Avenue and second one is Five Corners.

MR. SHAW: We'll do a better job but I just want to point out that there's not a lot of areas that are

available for landscaping either but--

MR. ARGENIO: I'm looking at a 20 scale and what do you have here?

MR. SHAW: Thirty feet. We'll do better.

MR. VAN LEEUWEN: I agree with him.

MR. ARGENIO: You guys to my right, Neil and Howard, are noticeably mute, we'll certainly see this again so don't feel like, you know.

MR. SCHLESINGER: Auto Zone is that the one that's right next to Price Chopper right now?

MR. SHAW: Yes.

MR. SCHLESINGER: They are proposing to move?

MR. SHAW: Yes.

MR. EDSALL: That's Advanced Auto, the existing one, it's two different companies.

MR. SHAW: I thought Auto Zone was over there.

MR. EDSALL: No, Advanced Auto is the existing one at Price Chopper, this is Auto Zone, no, it's a competitor.

MR. SCHLESINGER: Same business, different operators, competitor.

MR. EDSALL: Competitive businesses.

MR. VAN LEEUWEN: That's a big outfit Auto Zone.

MR. EDSALL: Advanced Auto's all over the country.

MR. ARGENIO: I'll accept a motion that we circulate lead agency coordination letter.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded we circulate for lead agency. Roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. SCHEIBLE	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. SCHLESINGER: How about the traffic that you brought up the egress?

MR. ARGENIO: He's got to go to DOT.

MR. SCHLESINGER: So DOT will make the decision.

MR. ARGENIO: He's going to see--

MR. EDSALL: I will as part of the normal procedure make the referral to DOT and in that letter I will include the board's interest in an evaluation of left turns or right turns only out of that eastern curb cut.

MR. ARGENIO: And Mark, Greg, I'm not dogging you on it, just a thought going through the corridor a thousand times.

MR. SHAW: I've seen Sibby already and the drawings reflect her comments but there's a difference between her comments and getting a permit so please if you want to send the letter please do and in the review of the

permit if they feel it's appropriate.

MR. EDSALL: Well--

MR. ARGENIO: We're not looking to segment it into two or three steps.

MR. EDSALL: The permit is a separate issue, that's a condition of approval, the review that Sibby did so far is a pre-application review, so you didn't waste your time. Our referral is one that goes to both Poughkeepsie DOT, to Traffic and Safety and to Newburgh permitting office so Sibby doesn't make decisions on revisions and turns, Traffic and Safety does both sections, DOT will now have an opportunity to review it.

MR. ARGENIO: I stand corrected, thank you, Mr. Edsall.

MR. EDSALL: Just so Greg's aware we don't just send to Sibby we send to Poughkeepsie and Sibby.

MR. ARGENIO: What else are you looking for?

MR. SHAW: I think that's as far as we can go, I think now that we're going to circulate for lead agency 30 days is going to pass, I'd like to get into Mark's comments, get them resolved so when I come back to the board everything will be into place, other than the landscaping. Do the board members themselves have anything other than the technical issues that Mark has laid out? Flag pole.

MR. SHAW: We do have a flag pole 25 foot high with a flag.

MR. ARGENIO: The dumpster's in the back, Neil, I mean, you typically get focused on that looking I think it's an improvement, the Pizza Hut building is a crap looking building and it's unsightly, it's been vacant

April 29, 2009

58

for many, many years and you know I like going to Play It Again Sports, you know, my kid can buy his baseball bat, I don't have to drive the Dick's in Middletown but it is what it is. Thank you for coming in.

MR. CORDISCO: Referral to county planning for this plan.

MR. ARGENIO: It's been done and determined local determination.

MR. EDSALL: Is it back already? Yes, I'm sorry.